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| 09/703,157 | 10/31/2000 | John D. Frazier | NCRC-0014-US (9169) | 9753 |

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| EXAMINER |
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GYORFI, THOMAS A

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| ART UNIT | PAPER NUMBER |
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2135

DATE MAILED: 01/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/703,157

Applicant(s)

FRAZIER ET AL.

Examiner

Tom Gyorfi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 13 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 13-15, 17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 13-15, and 17-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-9, 13-15, and 17-18 remain for examination. The correspondence filed 7/13/04 amended claims 1, 3, 4, 9, 13, 17, and 18.

Response to Arguments

2. Applicant's arguments filed 7/13/04 have been fully considered but they are not persuasive. Applicant argues, "*The present Official Action acknowledges that Chang et al. does not disclose combining objects extracted from a database and combining the objects to create a file containing a representation of the image data for communication to a client system. Although Roy et al. discloses a map author which is used to create, modify and electronically publish map windows files (.mwf files), it is not seen that objects are extracted from the database and combined to create a first file containing a representation of the image data in a server system in response to a first request from the client system, and thereafter additional objects are extracted from the database and combined to create a second file containing a representation of the image data in the server system in response to a second request from the client system.*" Examiner disagrees with this contention. Roy teaches that it is possible for a map window file to contain dynamic data, i.e. additional objects stored separately from the map window file (col. 6, lines 5-10). Since the additional details can be pulled from the database upon subsequent [e.g. second] requests by a user (col. 11, line 60 – col. 12, line 5), it is at a minimum suggested by Roy that a second file is created containing both the original map data and the additional objects. Further, it should be noted that Roy teaches that the client software possesses the ability to store map data in a clipboard (col. 12, lines 10-15), as well as the ability to cache data received from the databases (col. 12, lines 20-25). It is well known in the art that data

stored in either manner can constitute a file, and more specifically a second file created as per a second request by the user. Thus, either feature suggests that Roy contains the ability to create a second file containing an updated representation of the image data.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-3, 5-8, 13-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (U.S. Patent 6,061,689) and further in view of Roy et al. (U.S. Patent 5,966,135).

Referring to Claim 1:

Chang discloses a method of gathering data from a database comprising:
storing within a database table, objects containing image data, said database table comprising at least one row including objects having multiple data types, each data type being stored within a different column within said database table (col 3, lines 30-35; col 4, lines 10-25),
receiving, in a server system, objects extracted from at least one row of said database table in response to a first request received from a client system (col 8, lines 55-65).

Chang does not explicitly disclose "the objects corresponding to one or more layers;

in the server system and in response to said first request, combining the objects and creating a first file containing a representation of the image data for communication to the client system;

displaying said representation of the image data in the client system;

generating a second request for at least one additional layer of image data in response to a selection at said client system of an element of the displayed representation of the image data in the client system;

receiving, in said server system additional objects extracted from at least one additional row of said database table in response to said second request received from said client system, the objects corresponding to said at least one additional layer of image data, in the server system and in response to a second request, combining the additional objects and creating a second file containing an updated representation of the image data for communication to the client system; and

displaying said updated representation of the image data in the client system."

Roy discloses the objects corresponding to one or more layers (col 2, lines 55-65);

in the server system and in response to a first request, combining the objects and creating a first file containing a representation of the image data for communication to the client system (col 4, lines 55-65; col 5, lines 5-20);

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displaying said representation of the image data in the client system (col 3, lines 50-60);

generating a second request for at least one additional layer of image data in response to a selection at said client system of an element of the displayed representation of the image data in the client system (col 2, lines 5-15; col 11, lines 55-68);

receiving, in said server system additional objects extracted from at least one additional row of said database table in response to said second request received from said client system, the objects corresponding to said at least one additional layer of image data, in the server system and in response to a second request, combining the additional objects and creating a second file containing an updated representation of the image data for communication to the client system (col 2, lines 4-16; col 3, lines 5-25);

and displaying said updated representation of the image data in the client system (col 3, lines 15-25).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang such that a representation, created in response to a user query, contains a plurality of objects, said objects corresponding to one or more layers and updating said representation in response to a second query for additional layers. One of ordinary skill in the art would have been motivated to do this because it would provide a display mechanism that provides a zooming capability (Roy: col 3, lines 45-60).

Referring to Claim 13:

Chang discloses a system comprising:

a database including a database table, said database table comprising at least one row including objects containing geospatial data, said objects having multiple data types, each data type being stored within a different column within said database table (col 3, lines 30-35; col 4, lines 10-25; col 10, lines 15-30);

an interface to said database system (col 6, lines 40-45);

an interface to a client system (Fig 3; col 1, lines 55-60).

Chang does not explicitly disclose “a controller adapted to a first receive a request from the client system and in response to the first request: receive objects containing geospatial data extracted from the database system, and combine the objects into a first file that provides a visual representation of the image data;

means for displaying, said visual representation of the image data in the client system; and

said controller further adapted to receive, a second request from the client system generated in response to a selection at said client system of an element of the displayed representation of the image data in the client system, and in response to said second request: receive additional objects containing geospatial data extracted from the database system, and combine the additional objects into file that provides an updated visual representation of the image data.”

Roy discloses a controller adapted to a first receive a request from the client system, and in response to the first request: receive objects containing geospatial data

extracted from the database system, and combine the objects into a file that provides a visual representation of the image data (col 3, lines 5-25; col 5, lines 20-35);

means for displaying, said visual representation of the image data in the client system (col 3, lines 15-25); and

said controller further adapted to receive, a second request from the client system generated in response to a selection at said client system of an element of the displayed representation of the image data in the client system, in response to the second request: receive additional objects containing geospatial data extracted from the database system, and combine the additional objects into file that provides an updated visual representation of the image data (col 2, lines 5-20; col 3, lines 5-25; 35-60).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang such that a representation, created in response to a user query, contains a plurality of objects, said objects corresponding to one or more layers and updating said representation in response to a second query for additional layers. One of ordinary skill in the art would have been motivated to do this because it would provide a display mechanism that provides a zooming capability (Roy: col 3, lines 45-60).

Referring to Claims 2 and 14:

Chang in view of Roy discloses the limitations as discussed in Claims 1 and 13 above. Chang further discloses said database comprises an object relational database (col 4, lines 10-25).

Referring to Claims 3 and 17:

Chang in view of Roy discloses the limitations as discussed in Claim 1 and 13 above.

Roy further discloses creating said first and second files comprises creating first and second markup language files, respectively (col 8, lines 45-55).

Referring to Claim 5:

Chang in view of Roy discloses the limitations as discussed in Claim 1 above.
Roy further discloses said objects containing geospatial data (col 5, lines 20-35).

Referring to Claim 6:

Chang in view of Roy discloses the limitations as discussed in Claim 1 above.
Roy further discloses said objects contain geospatial data and said multiple data types include at least one of the following elements: points, lines, and polygons (col 5, lines 20-35).

Referring to Claims 7:

Chang in view of Roy discloses the limitations as discussed in Claim 1 above.
Roy further discloses said objects contain geospatial data and said multiple data types include at least one of the following elements: an image, points, lines, and polygons (col 5, lines 20-35).

Referring to Claim 8:

Chang in view of Roy discloses the limitations as discussed in Claim 7 above. Roy further discloses combining the objects comprises combining two or more of the image, points, lines, and polygons (col 3, lines 40-60; col 6, lines 10-25; col 7, lines 45-55).

Referring to Claim 15:

Chang in view of Roy discloses the limitations as discussed in Claim 13 above. Roy further discloses said multiple data types include at least one of an image, points, lines, and polygons (col 5, lines 20-35).

5. Claims 4, 9, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang and Roy as applied to claims 3, 8, and 13 above, and further in view of Lipkin et al. (U.S. Patent 6,348,927).

Referring to Claims 4, 9, and 18:

Chang and Roy disclose the limitations as discussed in Claims 3, 8, & 13 above.

Chang in view of Roy do not explicitly disclose the claimed "creating first and second Virtual Reality Markup Language files, respectively".

Lipkin discloses wherein creating the file comprises creating a Virtual Reality Markup Language file (col 5, lines 45-55).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Chang in view of Roy to create first and second Virtual Reality Markup Language files, respectively. One of ordinary skill in the art would have been motivated to do this because it would allow the information to be displayed on a browser (Lipkin: Fig. 1).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

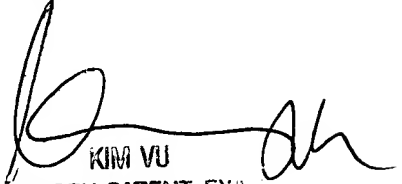
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849. The examiner can normally be reached on 8:00am - 4:30pm Monday - Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TAG
1/25/05


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